



The Metropolitan Government of Nashville and Davidson County...

Metro Beer Board Minutes

Meeting Date:	Thursday– March 11, 2021 @ 12:00 P.M.
Teleconference Info:	Call: 415-655-0002 Access Code: 187 623 0984# When prompted, press # to indicate you are an attendee

BOARD MEMBERS	STAFF PRESENT	MEMBER ATTENDANCE	OTHERS PRESENT
Mr. Brian Taylor, Chairperson Kia Jarmon, Vice Chairperson Mr. Christopher M. Bellamy Mr. William Conway Mr. Joe Perlen Ms. Bailey Spaulding Ms. Delfine Fox Mr. Matthew Garth, Attorney	Benton McDonough, Director Terrence Darby Sr, ASO IV Douglas James Jr, Inspector II Darrell Hardrick, Inspector I Melvin Brown Jr., Special Assistant to the Director Amanda Webb, Office Specialist		

*** CALL TO ORDER**

Chairman Brian Taylor called the meeting to order at 12:03 p.m.

*** ROLL CALL**

Chairman Taylor conducted roll call to determine the existence of a quorum

Present: Vice Chair Kia Jarmon, Mr. Joe Perlen, Ms. Bailey Spaulding, Ms. Delfine Fox, Chairman Brian Taylor.

Having deemed the existence of a quorum, Chairman Taylor proceeded with essential business.

*** DETERMINATION OF NECESSITY BY TELECONFERENCE**

Legal Counsel, Matthew Garth, instructed the board that Governor Lee’s Executive Order 16, later extended by Executive Order 78, enabled local boards and commissions to conduct board meetings virtually only if the board deems the business coming before the board to be essential business, the board chooses to conduct such business in electronic format, and the board waives any rules to the contrary. Vice Chair Jarmon then made a motion to formally adopt Counsel’s explanation. The motion was then seconded by Ms. Spaulding.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Perlen	X		
Ms. Spaulding	X		
Ms. Fox	X		

*** APPROVAL OF THE MINUTES**

APPEAL OF DECISIONS

If you are not satisfied with a decision of the Metropolitan Beer Permit Board regarding your application or your hearing, you may appeal the decision to the Davidson County Chancery or Circuit Court pursuant to the requirements set forth in T.C.A. 57-5-108. The decisions of the Metropolitan Beer Permit Board take effect on a date to be determined by the board. However, you may file an appeal within 60 days of the date of entry of the board’s decision. We advise that you seek your own independent legal advice to ensure that your appeal is filed in a timely manner and that all procedural requirements have been met.

APPROVAL OF MINUTES AND CALL THE MEETING TO ORDER

<p>Approval of the February 24, 2021 Minutes:</p> <p>Following a review, Vice Chair Jarmon made a motion to approve the minutes from February 24, 2021. Mr. Perlen seconded the motion.</p> <p>Aye: VC Jarmon, Mr. Perlen, Ms. Spaulding, Ms. Fox Nay: N/A PNV: Chairman Taylor</p>	<p>Motion: To approve.</p> <p>First: VC Jarmon Second: Mr. Perlen Opposed: None</p>
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APPLICATIONS FOR APPROVAL

- (3) *East Nashville Beer Works, LLC 320 E Trinity Ln 37207, EAST NASHVILLE BEER WORKS* T20-26981
LLC
ON/OFF-SALE (EXPANSION) (Dist. #05)
- (4) *Flat Tire Diner LLC, 4700 Old Hickory Blvd 37138, FLAT TIRE DINER LLC* T20-27024
ON-SALE (NEW LOCATION) (Dist. #11)
- (5) *PLOY GLAO LLC, 5760 Old Hickory Blvd #106 37076, SUSHI THAI* T20-27021
ON-SALE (CHANGE IN OWNERSHIP) (Dist. #12)
- (6) *Sonesta International Hotels Corporation, 600 Marriott Dr 37214, SONESTA* T21-27056
NASHVILLE AIRPORT
ON/OFF-SALE (CHANGE IN OWNERSHIP) (Dist. #15)
- (7) *Jackalope Brewing Company, LLC, 429 B Houston St 37203, JACKALOPE* T20-27005
BREWING COMPANY, LLC

DLVRYCRBSD	(NEW LOCATION)	(Dist. #17)
(8) <i>Wren's LLC, 2305 12Th Ave S 37204</i> , LOCUST		T20-26928
ON-SALE	(NEW LOCATION)	(Dist. #18)
(9) <i>Blue Stripes Gulch, LLC, 333 11Th Ave S 37203</i> , BLUE STRIPES CACAO SHOP		T21-27060
ON/OFF-SALE	(NEW LOCATION)	(Dist. #19)
(10) <i>GB Nashville, LLC, 505 12Th Ave S 37203</i> , THE GUMBO BROS.		T21-27067
ON-SALE	(NEW LOCATION)	(Dist. #19)
(11) <i>GB Nashville, LLC, 505 12Th Ave S 37203</i> , THE GUMBO BROS.		T21-27065
DLVRYCRBSD	(NEW LOCATION)	(Dist. #19)
(12) <i>GB Nashville, LLC, 505 12Th Ave S 37203</i> , THE GUMBO BROS.		T21-27070
CATERER	(NEW LOCATION)	(Dist. #19)
(13) <i>WALS, LLC, 1313 51St Ave N 37209</i> , LAVERTE'S MARKET		19-26330
OFF-SALE	(CHANGE IN OWNERSHIP)	(Dist. #20)
(14) <i>The Rock 'N Dough Pizza Company LLC, 1105 51St Ave N 37209</i> , THE ROCK 'N DOUGH PIZZA COMPANY LLC		T21-27039
ON/OFF-SALE	(NEW LOCATION)	(Dist. #20)

(15) *Taqueria La San Marquena, 3618 Anderson Rd 37217, TAQUERIA LA SAN MARQUENA* T20-26828

ON-SALE (NEW LOCATION) (Dist. #29)

(16) *3 Amigos Bar & Hookah Lounge LLC, 2626 C Murfreesboro Pike 37217, 3 AMIGOS BAR* T20-26976

& HOOKAH LOUNGE

ON-SALE (NEW LOCATION) (Dist. #29)

(17) *OM RANDAL OIL GROUP INC, 5016 Nolensville Pike 37211, OM RANDAL OIL* T20-27015

GROUP INC

OFF-SALE (CHANGE IN OWNERSHIP) (Dist. #30)

Chairman Taylor read the applications recommended for final approval by staff. VC Jarmon made a motion to accept the staff’s recommendation for final approval of the aforementioned applicants. Mr. Perlen seconded the motion.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Perlen	X		
Ms. Spaulding*	X		
Ms. Fox	X		

*Ms. Spaulding recused herself regarding #7 – Jackalope Brewing Company, LLC.

DEFER INDEFINITELY

(18) *ASAKO CORPORATION, 97 Chapel Ave 37206, SAMURAI SUSHI EAST* T21-27082

ON/OFF-SALE (Dist. #06)

(MISSING DOCUMENTS)

(19) *Boston Commons, LLC, 1008 A Woodland St 37206*, **BOSTON COMMONS** T21-27087
ON-SALE (EXPANSION) (Dist. #06)

(MISSING DOCUMENTS)

(20) *The Metropolitan Nashville Airport Authority, 1 Terminal Dr 37214*, T21-27085
NASHVILLE INTERNATIONAL AIRPORT
ON-SALE (EXPANSION) (Dist. #13)

(MISSING DOCUMENTS)

(21) *Tenn South Distillery LLC, 122 3Rd Ave S 37201*, **BIG MACHINE BREWERY &** T21-27083
DISTILLERY
ON/OFF-SALE (NAME CHANGE) (Dist. #19)

(MISSING DOCUMENTS)

(22) *Alive Hospice, Inc., 7400 River Road Pike*, **ALIVE AND THE BLUEBIRD** T21-27086
SPECIAL (SPECIAL EVENT NEW) (Dist. #21)
April 22, 2021

(MISSING DOCUMENTS)

(23) *GB LL Holdings, LLC, 5211 Linbar Dr #503 37211*, **GOPUFF #394** T21-27088
OFF-SALE (NEW LOCATION) (Dist. #30)

(MISSING DOCUMENTS)

Chairman Taylor read the applications recommended for indefinite deferral by staff. VC Jarmon made a motion to accept the staff's recommendation for indefinite deferral of the aforementioned applicants. Ms. Fox seconded the motion.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Perlen	X		
Ms. Spaulding	X		
Ms. Fox	X		

***NOTE* Board Member, Christopher Bellamy, joined the meeting.**

COMPLAINTS

(24) *Sami Nassif Lewis, 903A Dickerson PIKE 37207, Star Market*

09-16456

OFF-SALE

(Dist. #05)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age. |T.C.A 57-5-301(a)(1) prior to making a sale of beer for off-premise consumption, state law requires identification for the sale of beer on or about March 02, 2021).

(25) *Souze Shamshoon Beshare, 2323 DICKERSON PIKE 37207, Nashville Discount*

13-17082

Tobacco

OFF-SALE

(Dist. #05)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age on or about March 02, 2021).

(26) *Keshav Oil Inc., 701 DICKERSON PIKE 37207, EXPRESS MART* 18-25716
OFF-SALE (Dist. #05)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee To make or permit to be made any sale of beer to a person under twenty-one years of age. |T.C.A 57-5-301(a)(1) prior to making a sale of beer for off-premise consumption, state law requires identification for the sale of beer on or about March 02, 2021).

(27) *Family Dollar Stores of Tennessee, INC., 3049 DICKERSON PIKE 37207, FAMILY DOLLAR STORE # 22627* 19-26340
OFF-SALE (Dist. #08)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee To make or permit to be made any sale of beer to a person under twenty-one years of age. |T.C.A 57-5-301(a)(1) prior to making a sale of beer for off-premise consumption, state law requires identification for the sale of beer on or about March 02, 2021).

(28) *Flag Store, LLC, 2511 DICKERSON PIKE 37207, FLAG STORE MARKET & VAPE* 20-27026
OFF-SALE (Dist. #08)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee To make or permit to be made any sale of beer to a person under twenty-one years of age on or about March 02, 2021).

(29) *R & R Drive In Market, Inc., 1041 Jefferson ST 37208, R & R Drive In Market, Inc.* 94-14171
OFF-SALE (Dist. #19)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee To make or permit to be made any sale of beer to a person under twenty-one years of age on or about February 09, 2021).

(30)*Jack Brown's Joint Germantown, LLC, 1123 3RD AVE N 37208, JACK BROWN'S* 17-25059

BEER & BURGER JOINT

ON-SALE (Dist. #19)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee To make or permit to be made any sale of beer to a person under twenty-one years of age on or about February 20, 2021).

(31)*Vui's Kitchen Germantown, LLC, 1120 4TH AVE N #101 37208, VUI'S KITCHEN* 17-25268

GERMANTOWN

ON-SALE (Dist. #19)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee To make or permit to be made any sale of beer to a person under twenty-one years of age on or about February 20, 2021).

(32)*Steamboys LLC, 1210 2ND AVE N, STE C 37208, STEAMBOYS* 18-25782

ON-SALE (Dist. #19)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee To make or permit to be made any sale of beer to a person under twenty-one years of age on or about February 20, 2021).

(33) *Waldos Chicken Germantown LLC, 1120 4TH AVE N #103 37208, WALDOS* 20-26989

CHICKEN GERMANTOWN LLC

DLVRYCRBSD (Dist. #19)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee To make or permit to be made any sale of beer to a person under twenty-one years of age on or about February 20, 2021).

(34) *Mapco Express 3416, 801 Jefferson ST 37208, Mapco Express 3416* 16-17379

OFF-SALE (Dist. #20)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee To make or permit to be made any sale of beer to a person under twenty-one years of age on or about February 09, 2021).

(35) *Mapco Express Inc, 6624 CHARLOTTE PIKE 37209, MAPCO #3065* 18-25764

OFF-SALE (Dist. #20)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee To make or permit to be made any sale of beer to a person under twenty-one years of age. |T.C.A 57-5-301(a)(1) prior to making a sale of beer for off-premise consumption, state law requires identification for the sale of beer on or about February 26, 2021).

(36) *Jau Gayatrii, Inc., 1601 A&B Buchanan ST 37208, Buds Curb Market* 14-17173

OFF-SALE (Dist. #21)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee To make or permit to be made any sale of beer to a person under twenty-one years of age on or about February 09, 2021).

(37) *Slim & Husky's Pizza, 911 Buchanan ST 37208, Slim & Husky's Pizza* 17-20458
ON-SALE (Dist. #21)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee To make or permit to be made any sale of beer to a person under twenty-one years of age on or about February 09, 2021).

(38) *BCS Metro Lodging, LLC, 301 CLAY ST 37208, Holiday Inn Express* 20-26485
ON-SALE (Dist. #21)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age on or about February 09, 2021).

(39) *Tri Star Energy, LLC, 6955 CHARLOTTE PIKE 37209, HIGHTAIL #8897* 19-26273
OFF-SALE (Dist. #22)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age on or about February 26, 2021).

(40) *Mapco Express Inc, 4211 CHARLOTTE AVE 37209, MAPCO #3338* 18-25763
OFF-SALE (Dist. #24)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee To make or permit to be made any sale of beer to a person under twenty-one years of age on or about February 26, 2021).

(41) Haywood Shell Station, 197 Haywood LN 37211, Haywood Shell Station

07-16291

OFF-SALE

(Dist. #30)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee To make or permit to be made any sale of beer to a person under twenty-one years of age on or about February 27, 2021).

Chairman Taylor read the complaints followed by the corresponding staff recommendations. VC Jarmon made a motion to accept the staff's recommendations. Mr. Perlen seconded the motion.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Perlen	X		
Ms. Spaulding	X		
Ms. Fox	X		
Mr. Bellamy	X		

DEFERRED TRIALS

(42) Punjab, Inc., 2804 West End AVE 37203, Kwik Sak #625

06-16191

OFF-SALE

(Dist. #21)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age on or about December 28, 2020).

COMPLAINANTS: Special Assistant to the Director Melvin S. Brown Jr

Metropolitan Beer Permit Inspector II Douglas James Jr

SUBPOENA: Ashok Kumar (Attorney Jay Bowen)

Surath Sengupta

Michael Edward White

PIOR VIOLATIONS: BBM 3/14/19: 7.08.140C – Beer Sales to Minor; \$2500 CP Pd 3/29/19

BBM 11/5/20: 7.08.140C – Beer Sales to Minor; \$2500 CP Pd 12/3/20

**BBM 1/14/21: 7.08.140C – Beer Sales to Minor and 57-5-301(a)(1) - ID Required
\$3000 CP Pd 2/2/21**

BBM 3/11/21 – Attorney Jacob Clabo – Pleads Guilty

Clients – Ashok Kumar (Owner), Surath Sangupta (Mgr), Michael White (Clerk)

Testimony – Inspector James

Board Penalty Decision: Joe Perlin Motion 30 Day Suspension and 180 Day Probation; Motion Failed, Lack of Second; Chris Bellamy Motion 30 Day Suspension and 180 Day Probation; Kia Jarmon Second.

Motion Passes – Unanimous; 30 Day Suspension and 180 Day Probation.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Perlen	X		
Ms. Spaulding	X		
Ms. Fox	X		
Mr. Bellamy	X		

(43) Amal Mena, 3900 CLARKSVILLE PIKE 37218, JERRY'S CITGO

19-26170

OFF-SALE

(Dist. #01)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age.

T.C.A 57-5-301(a)(1) prior to making a sale of beer for off-premise consumption, state law requires

identification for the sale of beer.

M.C.L 7.08.140T It is unlawful for any beer permit holder or his agent or employee to allow or engage in any criminal activity on the premises; **To Wit: 39-17-1508. Required packaging - It is unlawful for any person to sell cigarettes or smokeless tobacco products except in the original, sealed package in which they were placed by the manufacturer that bears the health warning required by federal law on or about October 20, 2020)**

COMPLAINANTS: Special Assistant to the Director Melvin S. Brown Jr

Metropolitan Beer Permit Inspector I Darrell Hardrick

SUBPOENA: Amal S. Mena (Attorney Cleveland Bain)

Wael G. Kaldes

PRIOR VIOLATIONS: BBM 11/7/19: 7.08.140C -Beer Sales to Minor; \$1500 CP Pd 11/19/19

***BBM 1/27/21 Attorney Request to Defer to BBM 2/24/21**

***2/23/21 Attorney Request to Defer One Meeting - Email received from Attorney Cleveland Bain requesting to defer the hearing one meeting due to a calendar error on their part.**

***BBM 2/24/21 Board Deferred One Meeting**

BBM 3/11/21 – Attorney Cleveland Bain – Pleads Not Guilty

Mena Amal (Owner), Basem Ferrar (Mgr), Wael Kaldes (Clerk) (Not present stated to be in the hospital with Covid)

Testimony – Inspector Hardrick

Board Penalty Decision: Amend Citation to Dismiss 57-5-301(a)(1) No ID; Chris Bellamy Motion to Dismiss; Delfine Fox Second. Joe Perlen Absent; Board Unanimous Vote

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Perlen			
Ms. Spaulding	X		
Ms. Fox	X		
Mr. Bellamy	X		

Chris Bellamy Motion to Sustain as Amended; Bailey Spaulding Second.

Board Vote – Unanimous Sustain as Amended; Joe Perlin Absent.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Perlen			
Ms. Spaulding	X		
Ms. Fox	X		
Mr. Bellamy	X		

**Board Penalty Decision: Chris Bellamy Motion \$3000 Civil Penalty or Fourteen(14) Day Suspension;
Bailey Spaulding Second;**

Board Vote on Motion: Motion Passes Unanimous; Joe Perlen Absent; Kia Jarmon Absent.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon			
Mr. Perlen			
Ms. Spaulding	X		
Ms. Fox	X		
Mr. Bellamy	X		

Board Final Decision \$3000 Civil Penalty or Fourteen (14) Day Suspension

TRIALS

(44) *Dragon Park, LLC, 4710 CHARLOTTE AVE 37209, CLEMENTINE*

19-25884

ON-SALE

(Dist. #24)

(Alleged violation of M.C.L 7.08.140T It is unlawful for any beer permit holder or his agent or employee to allow or engage in any criminal activity on the premises, in violation of MPHD Order #12 of the Chief Medical Officer, by not following the mask mandate, not practicing social distancing, exceeding required occupancy and no health department events permit. To wit: TCA 68-2-602. Violations of rules and regulations of county board – Penalty. Any person who violates a county board of health regulation commits a Class C misdemeanor on or about December 19, 2020)

COMPLAINANTS: Hugh Atkins

Special Assistant to the Director Melvin S. Brown Jr

SUBPOENA: Dan Cook

Jamie Schneider

NO PRIOR VIOLATIONS

BBM 3/11/21 – Dan Cook (Owner) - Pleads Not Guilty; Provides testimony.

Testimony - Hugh Atkins, Metro Health Dept.

SPAD Melvin S. Brown Jr (Provide testimony as needed).

Board Action: Chris Bellamy Motion to Sustain; Bailey Spaulding Second.

Board Votes: Unanimous to Sustain; Kia Jarmon Absent; Joe Perlen Absent.

Board Penalty: Chris Bellamy \$1000 CP 7day Suspension and 30 Day Probation; Delfine Fox Second.

Board Votes Unanimous; Joe Perlin Absent; Kia Jarmon Absent

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon			
Mr. Perlen			
Ms. Spaulding	X		
Ms. Fox	X		
Mr. Bellamy	X		

(45) ADMINISTRATIVE MATTERS

(46) EXECUTIVE DIRECTOR'S REPORT

Executive Director, Benton McDonough, waived the Executive Director's Report, due to time constraints.

(47) ADJOURNMENT

- Chairman Taylor adjourned the meeting at 2:14 p.m.

